

RESPONSE

Claims 1, 5-9, 12, and 16-20 are pending in the present application. Claims 1, 5, 8, 9, 12, 16, 19, and 20 have been rejected. Claims 6, 7, 17, and 18 have been objected to. Applicant has amended claims 1 and 12, and added new claims 23 and 24. Reconsideration and re-examination of pending claims 1, 5-9, 12, 16-20, 23, and 24 is respectfully requested.

Claim Rejections based on 35 USC 103

The Examiner has rejected claims 1, 5, 8, 9, 12, 16, 19, and 20 under 35 U.S.C. 103(a) as being unpatentable over Bernard, et. al. ('342) in view of Stepanov et. al. ("165)

Applicant respectfully disagrees that independent claims 1 and 12, as amended, are unpatentable over Bernard, et. al. in view of Stepanov, et. al., and states:

The ring/grating combination of Bernard is not a single element (see Figs. 6-8 in Bernard) with the grating and the ring resonator on opposite sides of the laser. The present invention, on the other hand, has the ring/grating combination within a single element.

Since a prima facie showing that the claimed invention is obvious cannot be established if the prior art references does not teach all of the claim limitations, an obviousness rejection cannot be established. Since claims 5, 8, 9, 16, 19, and 20 depend on now allowable base claims, their rejection is moot.

Allowable Subject Matter

Examiner has objected to claims 6, 7, 17, and 18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has added new independent claims 23 and 24. Claims 6, 7, 17, and 18 have not been amended since they depend on now allowable base claims (see argument for 103(a) rejection above).

CONCLUSION

For at least the foregoing reasons, Applicant respectfully submits that pending claims 1, 5-9, 12, 16-20, 23, and 24 are patentably distinct from the prior art of record and in condition for allowance. Applicant therefore respectfully requests that pending claims 1, 5-9, 12, 16-20, 23, and 24 be allowed.

Respectfully submitted,

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Date: September 7, 2004

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